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8/Request for  
Reconsideration  
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8/5/98



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Timothy J. Keefer  
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Signature

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Terumi SUNAGA

SERIAL No.: 08/820,608

FILED: March 19, 1997

TITLE: SPREAD SPECTRUM COMMUNICATION  
TRANSMITTER AND RECEIVER, AND CDMA  
MOBILE COMMUNICATION SYSTEM

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)  
) Group Art Unit: 2732  
)  
) Examiner: K. Vanderpuye  
)

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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**REMARKS**

Dear Sir:

This is in response to the Official Action dated April 24, 1998. Additionally, this will confirm the telephone conversation with the Examiner on May 8, 1998, in which the Examiner agreed to withdraw the finality of the outstanding Official Action.

The Applicant respectfully requests that the Examiner reconsider his conclusion that the present invention is unpatentable over admitted prior art references in view of Tanaka (U.S. Patent No. 4,262,820). Although the Examiner recognizes that the admitted prior art references do not teach an intermittently transmitted pilot signal, the Applicant submits that it would not be obvious for one skilled in the art to look to Tanaka for a solution to the problem. Even if the necessary element of Tanaka were somehow combined with the admitted prior art references, the resultant combination would fail to teach the present invention.

Unlike the present invention, which can transmit traffic channel data while the pilot signal is being simultaneously transmitted, the system of Tanaka, after detecting intermittent timings of control signals from the base stations, can only